

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DANIEL JOSEPH GRUENFELDER

Petitioner,

VS.

NATHANIEL QUARTERMAN, Director
Texas Department of Criminal Justice,
Correctional Institutions Division

Respondent.


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NO. 3-07-CV-0646-M

ORDER

After conducting a review of the pleadings, files and records in this case, and the Findings and Recommendation of the United States Magistrate Judge in accordance with 28 U.S.C. § 636(b)(1), I am of the opinion that the Findings and Recommendation of the Magistrate Judge are correct, and they are hereby accepted as the Findings of the Court. Petitioner's Motion to Dismiss without Prejudice in order to File an Actual Innocence Claim in State Court (filed September 19, 2007), and Motion to Exhaust State Remedies or Allow Ground of Jury Misconduct to Remain Exhausted (sic) are **DENIED**. If Petitioner files claims in state court, the state court will determine if they may be pursued.

SO ORDERED this 19th day of October, 2007.


BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS